

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT
WESTERN DIVISION**

In Re:	*	Case No.1:18-bk-14408
	*	Judge Jeffrey P. Hopkins
Flipdaddy's, LLC	*	Chapter 11 Proceeding
	*	
	*	
Debtor	*	

**LIMITED OBJECTION OF DEBTOR TO THE
MOTION TO DISMISS CHAPTER 11 CASE
[Doc. No. 186]**

Now comes, Flipdaddy's, LLC, as debtor in the above-captioned chapter 11 case (the "Debtor"), by and through counsel, Diller & Rice, LLC, and hereby submits this limited objection to the *Motion to Dismiss filed by the Office of the United States Trustee ("the Motion")* (Doc. No. 186) and requests that the matter be scheduled for hearing absent agreed resolution of the same.

In support of this "Objection," Debtor respectfully represents as follows:

- (1) The Debtor would acknowledge the summary of facts advanced by the Office of U.S. Trustee and would further state that all operations of the debtor have ceased due to the Covid19 pandemic and the restrictions on operations. As a result, the Debtor would acknowledge that cause exists to dismiss this case.
- (2) However, to the extent that the Office of U.S. Trustee seeks to convert this case to one under Chapter 7¹, the Debtor would submit this limited objection. The Debtor

¹ This is not set forth in the caption, but is set forth as a possibility in the memorandum in support.

believes that conversion would be a waste of judicial economy and without benefit to any creditor or other party in interest and if required the debtor could provide evidence to that point.

- (3) The Debtor is also willing to provide the filing of the Quarterly Post confirmation reports beyond that of June 30, 2020 as the Debtor officially ceased operations on August 30, 2020. Such report can be completed within the next 10 days. The Debtor is also willing to pay any outstanding UST quarterly fees due prior to entry of an order of dismissal.²

WHEREFORE, the Debtor respectfully request that upon hearing, the Court limit the relief sought by the Office of US Trustee to the dismissal of this case and for such further relief as the Court deems to be just and proper.

Respectfully submitted,

/s/Steven L. Diller
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ATTORNEY FOR DEBTOR

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Objection was served on via ordinary mail to the United States Trustee, Attention Monica V. Kindt, Esq., 550 Main

² The Debtor lacks any funds, but a principal of the Debtor is willing to provide such payment.

Street, Suite 4-812, Cincinnati, Ohio 45202. and all other parties having requested notice herein by ordinary U.S. Mail, postage prepaid as is set forth in the electronic filing in compliance with the ECF rules in place in this District, on this 12th day of October, 2020.

/s/Steven L. Diller
Steven L. Diller

Notice was electronically served on the date of entry on the following recipients:

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